

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (88) 16

**OF THE COMMITTEE OF MINISTERS TO MEMBER STATES**  
**ON RATIFYING AND IMPROVING THE IMPLEMENTATION**  
**OF THE CONVENTIONS AND AGREEMENTS**  
**CONCLUDED WITHIN THE COUNCIL OF EUROPE**  
**IN THE FIELD OF PRIVATE LAW,**  
**NOTABLY THE CONVENTIONS WHICH PROTECT THE INTERESTS OF THE CHILD**

*(Adopted by the Committee of Ministers on 29 September 1988  
at the 419th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Having regard to Resolutions Nos. 2 and 4 adopted by the 16th Conference of European Ministers of Justice;

Considering that the conventions and agreements concluded within the Council of Europe in the field of private law constitute an essential basis to the achievement of a greater unity between the Council of Europe member states;

Considering that the more ratifications these conventions and agreements attract, the more effective they will be;

Considering that the reasons for the lack of ratifications should be investigated with a view to seeking solutions to any obstacles;

Considering it important that the persons and bodies to whom these treaties apply should be able to make optimum use of the facilities thus offered to them;

Considering it particularly important that the member states take or reinforce measures which give effect to the best interests of the child and the interests of the family as a whole,

Recommends the governments of member states:

- a.* to ratify the conventions and agreements concluded within the Council of Europe in the field of private law, notably the conventions which protect the interests of the child,<sup>1</sup> if they have not yet done so;
- b.* to take stock of ratifications of these conventions and agreements and analyse the reasons for any instances of non-ratification;

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1. European Convention on the Adoption of Children (1967) (European Treaty Series, No. 58); European Convention on the Legal Status of Children Born out of Wedlock (1975) (European Treaty Series, No. 85); European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children (1980) (European Treaty Series, No. 105).

- c.* to improve co-operation and the exchange of information between the central authorities designated in pursuance of some of these treaties in order to enable the persons and bodies concerned to avail themselves fully of the facilities made available to them;
- d.* to take appropriate measures to bring the existence and the functioning of these treaties to the knowledge of all those for whose benefit they are designed;
- e.* to seek the assistance of the Secretary General, if they wish, in finding solutions to any problems that might have prevented such conventions and agreements from being ratified or fully implemented.